

**ENTERED**

February 18, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JOVANTI HARRIS,	§	CIVIL ACTION No
Plaintiff,	§	4:24-cv-01947
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
HARRIS COUNTY	§	
SHERIFF'S OFFICE,	§	
Defendant.	§	

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Plaintiff Jovanti Harris, proceeding *pro se*, filed a Petition against Defendant Harris County Sheriff's Office in state court, and Defendant removed the case to this federal court. Dkt 1. The matter was referred for disposition to Magistrate Judge Christina A. Bryan. Dkt 3.

Pending is a Memorandum and Recommendation by Judge Bryan dated September 12, 2024, recommending that the motion to dismiss by Defendant be granted and this case be dismissed with prejudice because (i) Defendant is a *non sui juris* entity that doesn't have the capacity to be sued, (ii) Plaintiff cannot satisfy the requirements of *Monell v Department of Social Services*, 436 US 658, 694 (1978) for a suit against a municipal entity, and (iii) as a fugitive, Plaintiff cannot state a claim for retaliatory arrest. Dkt. 12; see Dkt 2 (motion)

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC §636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no

clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No party filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 12.

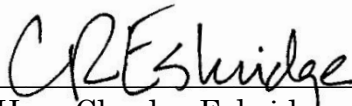
The motion to dismiss by Defendant is GRANTED. Dkt 2.

This case is DISMISSED WITH PREJUDICE.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on February 18, 2025, at Houston, Texas.

  
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Hon. Charles Eskridge  
United States District Judge